

SEP 11 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JENNIFER GAYLE LEAHY,

Petitioner - Appellant,

v.

TEENA FARMON, Warden,

Respondent - Appellee.

No. 01-17467

D.C. No. CV-97-01407-PJH

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Phyllis J. Hamilton, Magistrate Judge, Presiding

Argued and Submitted December 13, 2005
Portland, Oregon

Before: SCHROEDER, Chief Judge, KOZINSKI, O'SCANNLAIN, RYMER,
KLEINFELD, WARDLAW, PAEZ, BERZON, BYBEE, CALLAHAN, and BEA,
Circuit Judges.

Jennifer Leahy appeals from denial of her petition pursuant to 28 U.S.C. §
2254 for a writ of habeas corpus. We reverse for reasons stated in *Kesser v.*
Cambra, — F.3d — (9th Cir. 2006), filed together with this disposition.

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

REVERSED.